

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 06-20173

Plaintiff,

DISTRICT JUDGE

v.

ARTHUR J. TARNOW

1) RICHARD G. CONVERTINO,

and

2) HARRY RAYMOND SMITH, III,

Defendants.

**ORDER DENYING AS MOOT DEFENDANTS SMITH'S AND
CONVERTINO'S MOTIONS FOR IMMUNITY [DE 120 & 122];
DENYING DEFENDANT CONVERTINO'S MOTIONS FOR
RECONSIDERATION [DE 125 & 136]; DENYING DEFENDANT SMITH'S
MOTION TO INTRODUCE GOVERNMENT ADMISSIONS [DE 133], AND
GRANTING GOVERNMENT'S MOTION FOR AN ORDER ALLOWING
RULE 15 DEPOSITIONS [DE 139]**

Before the Court are the following motions, on which oral argument was heard
Friday, October 5, 2007:

- Defendant Smith's Motion to Compel Government to Immunize Michael Thomas [DE 120];
- Defendant Convertino's Motion to Compel the Government to Extend Immunity to Grand Jury Witness John Doe [DE 122]
- Defendant Convertino's Motions for reconsideration [DE 125 and 136];
- Defendant Smith's Motion *in limine* to introduce government admissions and

preclude inconsistent evidence [DE 133]; and

- the Government's Motion for an order allowing Rule 15 depositions [DE 139].

As to Defendants' motions for immunity, the issue has been rendered moot. The Court was informed on October 10, 2007, that the Government has elected to extend immunity to the witness subject of those motions. Accordingly, those motions [DE 120 & 122] are moot.

For that reason, and for the reasons stated on the record at the hearing,

IT IS HEREBY ORDERED that Defendant Smith's Motion to Compel Government to Immunize Michael Thomas [DE 120] and Defendant Convertino's Motion to Compel the Government to Extend Immunity to Grand Jury Witness John Doe [DE 122] are DENIED AS MOOT.

IT IS FURTHER ORDERED that Defendant Convertino's Motions for reconsideration [DE 125 and 136] are DENIED.

IT IS FURTHER ORDERED that Defendant Smith's Motion *in limine* to introduce government admissions and preclude inconsistent evidence [DE 133] is DENIED.

IT IS FURTHER ORDERED that the Government's Motion for order allowing Rule 15 depositions [DE 139] is GRANTED.

SO ORDERED.

S/ARTHUR J. TARNOW
Arthur J. Tarnow
United States District Judge

Dated: October 11, 2007

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 11, 2007, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR
Case Manager